

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Krepbski et al.  
Serial No.: 10/595,959  
Confirmation No.: 9672  
Filed: May 22, 2006  
For: SUBSTITUTED IMIDAZO RING SYSTEMS AND  
METHODS  
Examiner: Rita J. Desai  
Art Unit: 1625

**Certificate of Electronic Filing Under 37 CFR 1.8**  
I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.8(s)(4).

Dated: August 5, 2009

  
Eileen M. Flaherty

**STATEMENT FILED PURSUANT TO THE DUTY OF  
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98**

Madam:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

**PART I: Compliance with 37 C.F.R. §1.97**

This Information Disclosure Statement has been filed before the mailing of a first Office action on the merits in the above-identified case.

No fee or certification is required.

**PART II: Information Cited**

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified PTO/SB/08). The order of presentation of the references should not be construed as an indication of the importance of the references.

The Applicant hereby makes the following additional information of record in the above-identified application.

The above-identified U.S. application claims priority to application Serial No. PCT/US2004/039512. If the Examiner has not had the benefit of review of the file history of PCT/US2004/039512, then he/she is asked to contact the undersigned, who will provide a copy of same.

The Applicant would like to bring to the Examiner's attention the enclosed search report or other communication from a corresponding International or Foreign National Application.

| <u>Serial No.</u> | <u>Mailing Date</u> | <u>Type(s) of Communication</u>              | <u>Docket No.</u> |
|-------------------|---------------------|--|-------------------|
| EP 04812098.4     | May 15, 2009        | Supplementary Partial European Search Report | C1271.70022EP00   |

PART III: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 (modified PTO/SB/08) be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

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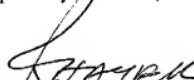
Art Unit: 1625

Notwithstanding any statements by the Applicant, the Examiner is urged to form his or her own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,

By:

  
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Docket No.: C1271.70022US02

Date: August 5, 2009

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